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The People of the State of California  
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10 UNITED STATES DISTRICT COURT  
11 EASTERN DISTRICT OF CALIFORNIA  
12

13 PEOPLE OF THE STATE OF CALIFORNIA,  
14 Plaintiff,

15 vs.

16 L.M.A. MARKETING, INC. DOING BUSINESS  
17 UNDER THE FICTITIOUS BUSINESS NAME OF  
MORTGAGE CONCEPTS,

18 Defendant.  
19 \_\_\_\_\_/

No. CIV S-04-0061 MCE KJM

**FINAL JUDGMENT  
PURSUANT TO  
STIPULATION**

Trial Date: November 9, 2005  
Courtroom: 3

20 It appearing to this Court that Plaintiff, the People of the State of California, by and  
21 through the Attorney General and Defendant L.M.A. Marketing, Inc., and its former president,  
22 Loraine Mundell, have resolved the matters in controversy between them without any  
23 admission by Defendant or Mundell, submission of evidence by the People or findings by this  
24 court, and, in a Stipulation For Entry of Final Judgment filed concurrently herewith, have  
25 consented to the terms of this Judgment and good cause having been shown, the Court hereby  
26 enters this Stipulated Judgment:

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

2 This Court has jurisdiction of the subject matter hereof and the parties hereto:

3 1. Pursuant to the Telemarketing Consumer Protection Act, 47 U.S.C. § 227(f)(1),  
4 Defendant L.M.A. Marketing, Inc. and Loraine Mundell are hereby permanently enjoined and  
5 restrained from engaging or performing, directly or indirectly, in any telephone solicitations or  
6 telemarketing without complying with the Telephone Consumer Protection Act 47 U.S.C. §  
7 227.

8 2. Pursuant to the Telemarketing and Consumer Fraud Abuse Act, 15 U.S.C. §§  
9 6103, Defendant L.M.A. Marketing, Inc. and Loraine Mundell are hereby permanently enjoined  
10 and restrained from engaging or performing, directly or indirectly, in any telemarketing or  
11 telephone solicitations without complying with the Telemarketing and Consumer Fraud Abuse  
12 Act, 15 U.S.C. §§ 6101-6108.

13 3. Pursuant to the California Business and Professions Code §17203, Defendant  
14 L.M.A. Marketing, Inc. and Loraine Mundell are hereby permanently enjoined and restrained  
15 from engaging or performing, directly or indirectly, in any telephone solicitations or  
16 telemarketing without complying with the California Business and Professions Code §17200, et  
17 seq.

18 4. Pursuant to the Telemarketing Consumer Protection Act, 47 U.S.C. § 227(f)(1),  
19 the Telemarketing and Consumer Fraud Abuse Act, 15 U.S.C. §§ 6103, and California Business  
20 and Professions Code §17203, Defendant, and Lorraine Mundell jointly and severally, shall pay  
21 a civil penalty of \$500. Before entry of this judgment, Defendant and Lorraine Mundell shall  
22 deliver a certified bank check for the full amount of the payment of the \$500 civil penalty to the  
23 Office of the Attorney General, 455 Golden Gate Avenue, San Francisco, California 94102-  
24 7004, Attn. Ian Sweedler.

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1           5. Defendant L.M.A Marketing, Inc. and Loraine Mundell shall be liable for a civil  
2 penalty of \$100,000. The civil penalty shall be enforceable by the People for a period of five  
3 (5) years from the date of entry of this judgment. Payment of the \$100,000 civil penalty is  
4 stayed unless the People file a motion to compel payment during the enforcement period and  
5 thereafter the court finds either (a) that Defendant L.M.A. Marketing, Inc or Loraine Mundell  
6 have violated any of the injunctive terms set forth in Paragraphs 1 through 3 of this Judgment,  
7 or (b) that Loraine Mundell made untrue or misleading statements in her sworn declaration  
8 pertaining to this Final Judgment Pursuant to Stipulation. Upon entry of such finding, the stay  
9 of payment is lifted and the full amount of the penalty becomes due immediately. Nothing  
10 herein precludes the People from bringing another type of action or proceeding as the result of  
11 any violation of the injunction or any untrue or misleading statement in Ms. Loraine Mundell's  
12 declaration.

13           6. This Stipulated Permanent Injunction and Judgment shall take effect  
14 immediately upon entry by the clerk, and the clerk is ordered to enter this Final Judgment  
15 Pursuant to Stipulation forthwith.

16           7. This Court shall retain jurisdiction over this matter for the purposes of enabling  
17 any party to this Final Judgment Pursuant to Stipulation to apply to the Court at any time, and  
18 after serving notice to all other parties, for such further orders and directions as might be  
19 necessary or appropriate for the construction, carrying out, modification, enforcement, or  
20 punishment for any violation of the injunctive provisions of the Final Judgment Pursuant to  
21 Stipulation.

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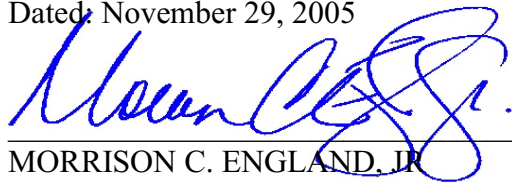
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**ORDER AND JUDGMENT**

The parties having so stipulated and good cause having been shown, this Final Judgment Pursuant to Stipulation is hereby entered.

Dated: November 29, 2005

A handwritten signature in blue ink, appearing to read "Morrison C. England, Jr.", is written over a horizontal line.

MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE